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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 DRAGOMIR TASKOV,

12 Defendant.

2:10-CR-00217-PMP-PAL

ORDER

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14 Before the Court for consideration is Defendant Dragomir Taskov's
15 Motion to Dismiss (Doc. #174). Having read and considered Defendant's Motion
16 and the Government's Response thereto (Doc. #181) the Court finds this Motion is
17 appropriate for resolution without an evidentiary hearing.

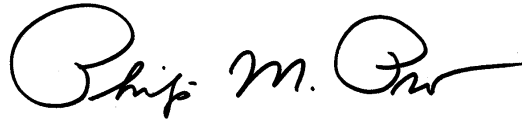
18 Specifically, the Court finds that the Second Superseding Indictment
19 returned by the Special Grand Jury on September 13, 2011 which added new fraud
20 charges against Defendant Taskov, was the product of a proper use of the
21 Government's prosecutorial discretion. The facts of this case simply do not support
22 a presumption of vindictiveness on the part of the prosecution and Defendant
23 Taskov cites no evidence to support such a finding. *United States v. Goodwin*, 457
24 U.S. 368 (1982).

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1 **IT IS THEREFORE ORDERED** that Defendant Dragomir Taskov's
2 Motion to Dismiss (Doc. #174) is **DENIED**.

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4 DATED: December 15, 2011.

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7 PHILIP M. PRO
United States District Judge